

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

HOMER LEE RYLAND, JR.

PLAINTIFF

v.

CAUSE NO. 1:23-CV-137-SA-DAS

REGIONS BANK, *et al.*

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

On October 16, 2023, Ryland filed his Complaint [1], along with a Motion to Proceed *In Forma Pauperis* [2]. Magistrate Judge Sanders set a *Spears* hearing for February 22, 2024. Although a copy of the notice of hearing was mailed to Ryland at the address listed on the docket, he did not appear for the hearing. *See* [8]. Therefore, on February 26, 2024, Magistrate Judge Sanders entered a Report and Recommendation [9], recommending that Ryland's case be dismissed for failure to prosecute.

Despite being given an opportunity to object to the dismissal recommendation, Ryland has not done so, and his deadline to do so has now passed.

"With respect to those portions of the report and recommendation to which no objections were raised, the Court need only satisfy itself that there is no plain error on the face of the record." *Gauthier v. Union Pac. R.R. Co.*, 644 F. Supp. 2d 824, 828 (E.D. Tex. 2009) (citing *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996)).

The Court has reviewed the Report and Recommendation [9] and the record as a whole. Having done so, the Court agrees with the recommendation. It is ADOPTED IN FULL. The Complaint [1] is hereby DISMISSED *without prejudice*. This CASE is CLOSED.

SO ORDERED, this the 12th day of March, 2024.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE